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21 RASIER, LLC; and RASIER-CA, LLC

22 [Additional Counsel Listed on Signature Page]

23 **UNITED STATES DISTRICT COURT**

24 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

25 IN RE: UBER TECHNOLOGIES, INC.,  
26 PASSENGER SEXUAL ASSAULT  
27 LITIGATION

Case No. 3:23-md-03084-CRB

28 **DEFENDANTS UBER TECHNOLOGIES,  
INC., RASIER, LLC, RASIER-CA, LLC'S  
STATEMENT WITH RESPECT TO  
PLAINTIFFS' ADMINISTRATIVE  
MOTION TO CONSIDER WHETHER  
ANOTHER PARTY'S MATERIAL  
SHOULD BE FILED UNDER SEAL (ECF  
NO. 339)**

Judge: Hon. Lisa J. Cisneros

Courtroom: G – 15th Floor

29 UBER'S STATEMENT WITH RESPECT TO PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER  
30 WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE FILED UNDER SEAL

31 Case No. 3:23-MD-3084-CRB

1 Pursuant to Civil Local Rule 79-5(f)(3), Defendants Uber Technologies, Inc., Rasier, LLC,  
 2 Rasier-CA, LLC (collectively “Uber”), submit this statement to notify the Court that Uber does not  
 3 seek the sealing of the documents identified in Plaintiffs’ Administrative Motion to Consider Whether  
 4 Another Party’s Material Should be Filed Under Seal, dated March 11, 2024 (ECF No. 339). As  
 5 explained below, Uber will therefore not be filing a declaration or other support for sealing the material  
 6 identified in Plaintiffs’ Administrative Motion.

7 On March 1, 2024, the Court directed Uber to produce to Plaintiffs certain documents that  
 8 Uber had previously produced in other litigations. (ECF No. 321.) In the Court’s March 1 Order, the  
 9 Court stated that it “believes that designation by Uber of any case-specific and plaintiff-specific  
 10 documents produced to Plaintiffs as ‘Highly Confidential – Attorneys’ Eyes Only’ is appropriate under  
 11 these circumstances.” (*Id.* at 11.) At the same time Uber was preparing the production of documents  
 12 in response to the Court’s March 1 Order relating to other litigations, Uber was also preparing the  
 13 production of documents that Uber agreed to voluntarily produce from a civil litigation with the San  
 14 Francisco and Los Angeles District Attorneys. (*See* ECF 337 “Though outside of PTO 5, in the spirit  
 15 of cooperation, Uber is producing 19 document requests, containing 186 pages from the DA inquiry.”).  
 16 In preparing these two documents productions simultaneously, the Requests for Production at issue in  
 17 Plaintiffs’ Administrative Motion (UBER-MDL3084-000053407-53446) were inadvertently  
 18 designated as “Highly Confidential - Attorneys’ Eyes Only” like the case-specific documents being  
 19 produced from the other litigations, as directed by the Court. Uber has now withdrawn the inadvertent  
 20 designation of UBER-MDL3084-000053407-53446 and has informed Plaintiffs of the de-designation,  
 21 and Uber has provided Plaintiffs with a replacement production of these documents with the correct  
 22 designation.

23 Plaintiffs, however, did not confer with Uber in advance of filing their Administrative Motion  
 24 to Consider Whether Another Party’s Material Should be Filed Under Seal (ECF No. 339). Had they  
 25 done so, the need for an Administration Motion may have been obviated.

1 DATED: March 18, 2024

Respectfully submitted,

2 **SHOOK HARDY & BACON L.L.P.**

3 By: /s/ Michael B. Shortnacy  
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